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21
22 UNITED STATES DISTRICT COURT

23
24 FOR THE CENTRAL DISTRICT OF CALIFORNIA

25
26 WESTERN DIVISION

27 UNITED STATES OF AMERICA,) NO. CV 11-02074 CBM(CWx)

28 Plaintiff,)

v.)

\$171,900.00 IN U.S.)

CURRENCY,)

Defendant.)

CONSENT JUDGMENT OF
FORFEITURE

29 JASON BARBOUR AND HILLIARY)
30 BARBOUR,)

31 Claimants.)

32
33 This action was filed on March 10, 2011. Notice was given

34 and published in accordance with law. Claimants Jason Barbour

35 and Hilliary Barbour (collectively, "claimants") filed a verified

1 claim on April 15, 2011 and an answer on May 5, 2011. Plaintiff
2 and claimants have reached an agreement that is dispositive of
3 the action. The parties hereby request that the Court enter this
4 Consent Judgment of Forfeiture.

5 **WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**

6 1. This Court has jurisdiction over the parties and the
7 subject matter of this action.

8 2. Notice of this action has been given in accordance with
9 law. All potential claimants to the defendant currency
10 other than claimants are deemed to have admitted the
11 allegations of the Complaint. The allegations set out
12 in the Complaint are sufficient to establish a basis
13 for forfeiture.

14 3. The United States of America shall have judgment as to
15 \$161,900.00 of the defendant currency, plus all
16 interest earned by the government on the full amount of
17 the defendant currency, and no other person or entity
18 shall have any right, title or interest therein. The
19 United States Marshals Service is ordered to dispose of
20 said assets in accordance with law.

21 4. \$10,000.00 of the defendant currency, without any
22 interest, shall be paid to claimants by electronic
23 transfer directly into a financial institution account
24 designated by claimants' counsel within six weeks of
25 the government's receipt of the information needed to
26 process the payment. Claimants' counsel agrees to
27 provide appropriate financial institution account
28 information within 10 days of execution of this consent

1 judgment.

2 5. Claimants hereby release the United States of America,
3 its agencies, agents, and officers, including employees
4 and agents of the Drug Enforcement Administration, from
5 any and all claims, actions or liabilities arising out
6 of or related to this action, including, without
7 limitation, any claim for attorney's fees, costs or
8 interest which may be asserted on behalf of the
9 claimant, whether pursuant to 28 U.S.C. § 2465 or
10 otherwise.

11 6. The Court finds that there was reasonable cause for the
12 seizure of the defendant currency and institution of
13 these proceedings. This judgment shall be construed as
14 a certificate of reasonable cause pursuant to 28 U.S.C.
15 § 2465.

16 7. The Court retains jurisdiction over this case and the
17 parties hereto to effectuate the terms of this Consent
18 Judgment.

19 Dated: June 15, 2012

20 

21 THE HONORABLE CONSUELO B. MARSHALL
22 UNITED STATES DISTRICT JUDGE

23
24
25 [Signatures of counsel appear on the next page.]

Approved as to form and content:

Dated: June , 2012 ANDRÉ BIROTTE JR.
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Attorneys for Plaintiff
United States of America

Dated: June , 2012

MARK WAECKER
Attorney for Claimants
JASON BARBOUR AND HILLIARY BARBOUR

Dated: June , 2012

JASON BARBOUR
Claimant

Dated: June , 2012

HILLIARY BARBOUR
Claimant